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Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

May 19, 2010

Bruce Newell
Ash Grove Cement Company
P.O. Box 38069
Leamington, Utah 84538

Subject: Third Review of Notice of Intention to Commence Large Mining Operations, Ash Grove Cement Company, Leamington Cement Plant, M/023/0004, Juab County, Utah

Dear Mr. Newell:

The Division has completed a review of your Notice of Intention to Commence Large Mining Operations for the Leamington Mine, which was received February 1, 2010. The attached comments will need to be addressed before tentative approval may be granted.

The comments are listed under the applicable Minerals Rule heading; please format your response in a similar fashion. Please address only those items requested in the attached technical review by sending replacement pages of the original mining notice using **redline and strikeout** text. After the notice is determined technically complete and we are prepared to issue final approval, we will ask that you send us two clean copies of the complete and corrected plan one of which will be returned to you stamped "approved."

The Division will suspend further review of the Notice of Intention until your response to this letter is received. If you have any questions in this regard please contact me at (801) 538-5261; the lead Wayne Western at (801) 538-5263; or the reviewers Leslie Heppler at (801) 538-5257, or Tom Munson at (801) 538-5321. Thank you for your cooperation in completing this permitting action.

Sincerely,

Paul B. Baker
Minerals Program Manager

PBB:lah:pb
Attachment: Review
Cc: josh.nelson@ashgrove.com
P:\GROUPS\MINERALS\WP\M023-Juab\M0230004-Leamington\final\REV3-3363-05112010.doc

1594 West North Temple, Suite 1210, PO Box 145801, Salt Lake City, UT 84114 -5801
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UTAH DNR OIL, GAS & MINING

THIRD REVIEW OF MODIFIED NOTICEOF INTENTION
TO COMMENCE LARGE MINING OPERATIONS
Ash Grove Cement Company
Leamington Cement Plant
M/023/0004
May 19, 2010

General Comments:

Comment #	Sheet/Page/ Map/Table #	Comments	Initials	Review Action
1	General	In sections of the NOI that involve slope stability (106.2, 109.4 and 111), Please commit in the text that slope stability will be regularly monitored on an ongoing basis (site schedule) and that a minimum factor of safety (site FOS) will be maintained. Commit that additional geotechnical evaluations will be done if either the geology or the structural regimes change as new working faces are excavated or as warranted.	lah	

R647-4-109 - Impact Assessment

109. – Impact Assessment

Comment #	Sheet/Page/ Map/Table #	Comments	Initials	Review Action
2	Omission	Please include any available information about cultural resources in a confidential appendix, including any determination made by the State Historic Preservation Officer about the effects of the project on cultural resources.	pbb	

109.1 - Impacts to surface & groundwater systems

Comment #	Sheet/Page/ Map/Table #	Comments	Initials	Review Action
3	Figure 4-107.3.2	The design of rock check dams has now incorporated the use of 6-24-inch rock, but Figure 4-107.3-2 also references the use of filter fabric (optional) under the structure and filter rock (optional) on the face. The filter fabric may provide a sliding plane for potential failure of the structure, and the Division recommends that this design be changed to incorporate a trench or key where the rock check dam is keyed into the beds and banks of the channel with the key a minimum of 12 inches deep and 12 inches wide. Flows are mainly related to storm water, and the porous dams should reduce the hydrostatic and dynamic forces against the structure and prevent failure.	TM	
4	Table 4-111-2-1	The use of erosion control mat in channel RC-1 and RC-4 is questionable since vegetation in this environment is generally not guaranteed and the mat will potentially degrade over time and become an eyesore. The Division recommends replacing the mat with rock riprap since rock is readily available and should be more durable and permanent. Filter fabric under riprap is often installed incorrectly, and failure seem to occur when rock slides off the fabric. When installing riprap, it is important to use an angular, **well-graded** rock that is interlocking. The Division recommends a combination of check dams and riprap to control slope and velocities.	TM	

R647-4-113 – Surety

Comment #	Sheet/Page/ Map/Table #	Comments	Initials	Review Action
5		General comments about demolition. The operator must include the cost to dispose of building debris. The Means cost assume that debris will be hauled up to 20 miles, and additional haul costs must be included if the haul distance is greater than 20 miles. Please state where the building debris will be disposed of. If the debris will be disposed of on site, please state where. A significant cost savings can be achieved if inert building material is disposed on site. The Division will allow the operator to dispose of steel and other recyclable materials at a recycling center, but additional haulage costs may apply. The operator could use the non-explosive Means rates, which do not require the building gutting costs. The operator must include demolition costs for just buildings as the cafeteria and switch gear #1 building.	whw	